

**CITY OF TUCUMCARI
MINUTES**

December 11, 2008

The Tucumcari City Commission met for their regular meeting on Thursday, December 11, 2008, at 6:00 p.m. in the City Commission Chambers. Members present constituting a quorum were Jimmy Sandoval, Jim Lafferty, Robert Lumpkin, and Jim Witcher. Mayor Apodaca was absent.

City staff members present were John R. Sutherland, Jr., City Manager; Jeannette Maddaford, City Clerk; Doug Powers, Community Development Director; Mike Cherry, Fire Chief; Ron Wilmot, Convention Center Director; Joe Ramirez, Wastewater Treatment Superintendent; Janet Garcia, Assistant Lab Director; Vickie Strand, Deputy Finance Director, and Erin Baca, Executive Secretary.

Reverend Gay Wellborn, Pastor of the Episcopal Church, gave the invocation and Commissioner Jim Lafferty led the group in the Pledge of Allegiance.

Consideration of Deletions to Agenda

None

Approval of Minutes

A motion was made by Commissioner Lafferty and seconded by Commissioner Lumpkin to approve the minutes of the November 20, 2008 regular Commission meeting. Roll Call:

Lumpkin	Witcher	Sandoval	Lafferty
Yes	Yes	Yes	Yes

Approval of Vouchers

A motion was made by Commissioner Lafferty and seconded by Commissioner Lumpkin to approve the City vouchers. Roll Call:

Lumpkin	Witcher	Sandoval	Lafferty
Yes	Yes	Yes	Yes

Items From Citizens

None

City Manager's Report

Convention Center Director Ron Wilmot reported for the month of November 2008 the Convention Center was closed for painting, so there was only three events which brought in \$100 rental income and \$2,660 bar income.

Fire Chief Mike Cherry reported during the month of November there were thirteen alarms, four fires, one hazardous materials spill, and eight other alarms which involved stand-bys for the police department and some alarm malfunctions. October EMS incidents were down to 72 with 42 911 calls, 2 calls for Dunns Funeral Home, two intercepts with outside agencies, 18 transfers to facilities out of town, four were motor vehicle accidents, and two standbys. They are still working on the warning sirens. The Street Department has cut down all the trees at the warning siren in the 1600 block between First and Second Streets.

City Manager John Sutherland reported the construction on the Waste Water Treatment Plant is continuing on schedule. The engineering firm is working with the contractor on some concrete quality issues. The construction at the headworks is advanced and the construction at the pump station is progressing. There was document signing this morning for additional funding with USDA for the completion of the headworks project with funds available for expenditure by December 17. The Metropolitan Well Field Project is progressing. The City has submitted an application for funding with the Water Trust Board for the construction phase with the Board scheduled to meet on the 17th of December to consider applications. The progress on the Waste Water Re-Use Project is continuing with the Water Trust Board indicating support for the City's project with the possibility of releasing some grant funds.

The MainStreet Master Plan Project is still making progress. They are developing an RFP for professional consultant services and are scheduling a meeting with the other MainStreet partners of the Project.

The 2007-2008 audit report has been completed and submitted to the State Auditor by the deadline.

The solar panels have been received for the swimming pool.

The Librarian has applied for E-Rate funds which come through the Universal Services Fund. The City applied for improved telecom services. The City received high speed band-width and was waiting to hear about the telephone services and a separate, secure, air conditioned server room. Mary Ann Molinas, Head Librarian, was informed the City's application is still in consideration, so there is optimism it will be funded.

NMFA Loan documents have been signed for the Metropolitan Well Field Rehabilitation Improvement Project. The CDBG application for the Second Street repaving project will be submitted prior to the December 19 deadline. Additional sidewalk work is being done on the Adams Street project. The City Street Department is doing some in-house resurfacing on McGee Street and the intersections of Estrella and Amarosa Streets at the Second and Thirds Streets. Both landfill projects are continuing with the old landfill working on closure and post closure work. The City's engineering firms still believe there is 18 months of use remaining in the old landfill. Contour maps were provided for the closure and post closure work that needs to be done, so staff will be able to construct run-off and run-on control features. Engineers provided direction on electrical installation service and acquisition for the new landfill scale and scale house and with blueprints to be provided by next week.

The City Parks Department has completed installation of Christmas, Route 66, and Centennial street banners.

Two Police probation recruits have been terminated, a Convention Center facility operator voluntarily quit, a Site Manager from the Senior Center also quit. Jason Braziel has been hired as a replacement

Police Officer and Tomas Pacheco has been hired as a replacement truck driver for the Street Department

Commissioner Lafferty inquired about the cleanup of City properties. Mr. Sutherland reported the Parks Department will begin in the next two weeks to evaluate the need for clean up of City foreclosed properties. Cathy Estrada is evaluating the other city owned properties. Work is underway to identifying derelict properties in which the City Police Chief and the City Manager will make an inspection and if necessitated declare the property a danger or a nuisance to the safety of the public. A qualified firm has been identified that can do hazardous materials inspections for a reasonable price, so the City can move forward. Commissioner Lafferty noted at the work session, the City had indicated a list of City properties was going to be presented, so the Commissioners could prioritize the work. The City Manager reported a list of City owned properties has been compiled and the Code Enforcement Officer has the properties highlighted on a map. Commissioner Lafferty requested a list. He also noted the Mayor Pro Tem had recommended a free dumping one-day a month at the City's landfill with a proposal to be forthcoming at this City Commission meeting. Also he requested a copy of the Dispatch Center Third Party Review.

Old Business

Mayor Pro Tem Witcher acknowledged the Planning and Zoning Advisory Board minutes of October 28, 2008; the Lodgers Tax Advisory Board minutes of October 14, 2008 and November 11, 2008; and the Tucumcari Public Library Advisory Board minutes of October 17, 2008.

Bids and Contracts

Doug Powers, Community Development Director, presented the Wilson & Company Engineering Agreement for the Second Street Water and Street Improvement Project. The contract price was negotiated for design cost of \$44,694.92, construction cost for design services \$29,796.62 for a total of \$74,491.54. Maximum allowable construction cost during the project is \$775,000. The total project will be close to \$915,000 when incorporated with additional city matching funds and in-kind requirements for the Municipal Arterial Project and Cooperative Project from the Department of Transportation. Powers pointed out the section of the Agreement page 3D-11, which states the contract is subject to the availability of adequate funds to proceed. Commissioner Lafferty asked if the City had their share of the funds for the project. Powers reported that matching funds were available for CDBG, MAP, and Cooperative Projects while utilizing as much in-kind match as possible. City Manager Sutherland reported that the City has had excellent success with the engineering services of Wilson and Company and recommended approval. A motion was made by Commissioner Lumpkin and seconded by Commissioner Lafferty to approve Wilson and Company to provide engineering services for the Second Street Water and Street Improvement Project. Roll Call:

Witcher	Sandoval	Lafferty	Lumpkin
Yes	Yes	Yes	Yes

New Business

Tom Dominguez, Quay County Agricultural Agent, presented information on starting a Cooperative Weed Management Area in which the federal, state, and local government agencies, interested groups, and individuals partner to manage noxious weeds or invasive plants in a defined area. Gene Wanstall, New Mexico Dept. of Agriculture Noxious Weed Coordinator, will present information at the Quay

County Agricultural Day on January 29, 2009 about what it is to be a weed management area, what grants are available, and what are the benefits. Then later in the day he will act as a facilitator to bring the groups together, forming a committee with a chairperson and establish a Memorandum of Understanding. In Quay County the partners are the Department of Transportation, Southwest Quay Soil Water Conservation District, Canadian River Soil Water Conservation District-Quay County, Arch Hurley Conservation District, New Mexico Department of Agriculture, New Mexico Game and Fish, and Quay County Extension Office. He invited the City of Tucumcari to join the partners. Mayor Pro Tem Witcher volunteered to represent the Commission and stated that Code Enforcement Officer Cathy Estrada would also be present at the meeting at 8:00 a.m. on January 29.

Doug Powers, Community Development Director, presented the City of Tucumcari's 2009 Legislative Proposal that he stated was based off of the 2009 Infrastructure Capital Improvements Plan. He also reported there might not be any capital money allocated by the legislature this year. Commissioner Lafferty noted that everyone has been hearing about the lack of funds and asked if this would be the year to not hit Santa Fe with such a broad spectrum of proposals. He thought maybe finding a project in common with the County, San Jon, and Logan such as the centralized dispatch center in the \$100,000 to \$200,000 range would be more favorably looked upon. City Manager Sutherland noted the document is used as underlying support. When the City meets with our Legislators, the City takes their lead in what money the Legislators can get through the capital outlay bill. In addition, the New Mexico Municipal League asked that the Proposal be prepared for submission on the federal level as well. A motion was made by Commissioner Lumpkin and seconded by Commissioner Lafferty to approve the 2009 Legislative Proposals as presented. Roll Call:

Sandoval	Lafferty	Lumpkin	Witcher
Yes	Yes	Yes	Yes

The Tucumcari Senior Citizens Advisory Board has two terms that expired, so the positions were advertised with four responses received. Commissioner Lumpkin stated that he appreciated everyone applying and knew most of the candidates who were very experienced and would be a big benefit to the Senior Center. A motion was made by Commissioner Lumpkin and seconded by Commissioner Lafferty to approve Antonio Pacheco and Evelyn Coughenour to fill the two positions on the Senior Citizen Advisory Board. Roll Call:

Lafferty	Lumpkin	Witcher	Sandoval
Yes	Yes	Yes	Yes

The Planning and Zoning Advisory Board had three positions expire in December, so the positions were advertised with the current members reapplying for reappointment. A motion was made by Commissioner Lafferty and seconded by Commissioner Sandoval to approve the reappointment of Dr. Bernard Fitzner, Beth Hancock, and Mike Hicklin to the Planning and Zoning Advisory Board. Roll Call:

Lumpkin	Witcher	Sandoval	Lafferty
Yes	Yes	Yes	Yes

Wastewater Superintendent Joe Ramirez presented two invoices for the rental of two portable pumps utilized from August to the middle of September for a total cost of \$4,580.00. He requested the emergency expenditure for when the pumps went down be paid from the Joint Utility Capital Outlay line item, 07-72-50712, as the expense was not anticipated at the time the budget was prepared. A

motion was made by Commissioner Lafferty and seconded by Commissioner Lumpkin to approve the payment of \$4,580 to Warren CAT. Roll Call:

Lumpkin	Witcher	Sandoval	Lafferty
Yes	Yes	Yes	Yes

Janet Garcia, Assistant Laboratory Director, presented a request to pay for an incubator cabinet. She explained they currently have two cabinets with one having problems and the other being old. Over a month ago the incubator got hot, so a repairman was called, but it did not fix the problem. Another time, the incubator cabinet dropped five degrees lower than it should be, so all the samples were invalid. Due to the fact, they run samples for Santa Rosa, Ft. Sumner, Clayton, and Tucumcari their samples must be greater than a two-degree variance or they will be considered invalid and the New Mexico Environment must be notified. She noted the new cabinet costs approximately \$3,000 which is approximately a \$400 increase since the last cabinet was purchased. A motion was made by Commissioner Lafferty and seconded by Commissioner Lumpkin to purchase the cabinet for the Lab from the Joint Utility Capital Outlay line item, 07-72-50712. Roll Call:

Lafferty	Lumpkin	Witcher	Sandoval
Yes	Yes	Yes	Yes

A letter was received from George Adelo, Attorney for owner Robert Hengstenberg, requesting a hearing on the Sands Dorsey building be scheduled in January 2009. It was pointed out the engineer's report was received from W. H. Pacific, but a cost for the demolition was not included in the engineer's report, but could be determined by RFP. Commissioner Lafferty asked for documentation that allows for a hearing on the Resolution. A motion was made by Commissioner Lafferty and seconded by Commissioner Lumpkin to conduct a hearing on the Sands Dorsey building according in compliance with NMSA 3-18-5. Roll Call:

Lumpkin	Witcher	Sandoval	Lafferty
Yes	Yes	Yes	Yes

Items from Commissioners

Commissioner Lumpkin stated to the public when the Commissioners talk about millions of dollars being requested from the State Legislature, the Commissioners were talking about water improvements which was \$1.2 million, wastewater treatment improvements \$6.7 million, solid waste facility \$1.9 million, street improvements \$1.1 million, and public safety dispatch \$750,000, to plan, design, equip, and construct. He pointed out the numbers are conservative numbers and if the public has the knowledge of what the City is facing in deteriorating infrastructure, they would recognize the importance of securing funds through the legislature. He stated that any time something is discussed during a meeting and there is a question, he was not opposed to having the public ask what the Commissioners are discussing.

Mayor Pro Tem Witcher explained that Mayor Apodaca was not at the meeting due to having severe back problems.

Adjournment

There being no further business, a motion to adjourn was made by Commissioner Lumpkin and

seconded by Commissioner Sandoval. Time noted 6:50 p.m. Roll Call:

Sandoval
Yes

Lafferty
Yes

Lumpkin
Yes

Witcher
Yes

Antonio Apodaca, Mayor

ATTEST:

Jeannette Maddaford, City Clerk